

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT



INTRODUCTION

I, Desirae Maldonado, being duly sworn, hereby depose and state:

1. I am a Special Agent with the United States Department of Justice, Federal Bureau of Investigation (FBI). I have been employed by the FBI as a Special Agent since January 2019. As such, I am an “investigative or law enforcement officer” of the United States within the meaning of 18 U.S.C. § 2510(7), that is, I am an officer of the United States, who is empowered by law to conduct investigations regarding violations of United States law, to execute warrants issued under the authority of the United States, and to make arrests of the offenses enumerated in 18 U.S.C. § 2251 *et. seq.* In the course of my duties, I am responsible for investigating crimes which include, but are not limited to, child exploitation and child pornography. I have previously been involved in criminal investigations concerning violations of federal laws. Since joining the FBI, I have received specialized training in human trafficking investigations, identifying and seizing electronic evidence, computer forensics, recovery, and social media investigations.

2. This affidavit supports an application for a criminal complaint charging ELLIOTT VELEZ, with Production of Child Pornography, in violation of Title 18, United States Code, Section 2251(a).

3. This affidavit is based upon information that I have gained from my investigation, my training and experience, as well as information gained from conversations with other law enforcement officers. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this

investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that ELLIOTT VELEZ, has committed a violation of Title 18, United States Code, Section 2251(a).

STATUTORY AUTHORITY AND DEFINITIONS

4. This investigation concerns alleged violations of Title 18, United States Code, Section 2251(a), relating to material involving the sexual exploitation of minors. Title 18, United States Code, Section 2251(a) provides that any person who employs, uses, persuades, induces, entices, or coerces, or attempts to do so, any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce, or in any Territory or Possession of the United States, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, shall be punished as provided under subsection (e), if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed.

5. The terms "child pornography" and "sexually explicit conduct" are defined in Title 18, United States Code, Sections 2256(8) and (2). The term "child pornography" is defined as "any visual depiction.....of sexually explicit conduct." The term "sexually explicit conduct" means

actual or simulated: sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex; bestiality; masturbation; sadistic or masochistic abuse; or lascivious exhibition of the anus, genitals or pubic area of any person.

6. The term "computer," as used herein, is defined pursuant to Title 18, United States Code, Section 1030(e)(1), as "an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device."

FACTS AND CIRCUMSTANCES

7. Between August 2021 and November 2021, nine CyberTips (97142758, 97143986, 95597865, 101850058, 100792185, 100241597, 10011112, 100132758, and 102614230) were received by the National Center for Missing and Exploited Children (NCMEC) from Snap Inc. From the nine CyberTips, Snap, Inc. reported Snapchat usernames: zane6775, zanesnap12, zanesmjth, z_zane1214, zanes_b21, zxne_123, tguy7164, and email addresses zanesmith038@gmail.com, zanesmjth@gmail.com, zane9323@gmail.com, zanesmith037@gmail.com uploaded 15 files classified by NCMEC as apparent child pornography. All nine CyberTips identified the subject's IP address as 24.254.247.8. NCMEC subsequently passed the CyberTips to Bedford County Sheriff's Office (BCSO). FBI Norfolk received the nine CyberTips from BCSO between September 2021 and December 2021. In each of the CyberTips Snap, Inc. and NCMEC acknowledged and/or listed the images they viewed.

8. On October 12, 2021, FBI SA Stacey Sullivan served an administrative subpoena to Cox Communications, Inc. for subscriber information associated with IP address 24.254.247.8.

Cox Communications, Inc. responded on December 9, 2021, indicating IP address 24.254.247.8 was subscribed to ELLIOTT VELEZ, address: 1500 Westport Crescent, Newport News, Virginia 23602, Home phone number: 623-203-3104. Cox Communications, Inc. services for VELEZ began on July 7, 2021.

9. Your affiant conducted a check through the Clear database for ELLIOTT VELEZ and revealed the following information: ELLIOTT VELEZ, date of birth: October 25, 1984. The most recent address associated with VELEZ was listed as 1500 Westport Crescent, Newport News, Virginia 23602.

10. On February 4, 2022, your affiant received subscriber information from Snap, Inc. pursuant to an administrative subpoena served on January 13, 2022. Subscriber information was received for the following Snapchat usernames: zane6775, zannessnap12, zanesmjth, z_zane1214, zanes_b21, zxne_123, tguy7164. All subscriber information for said Snapchat usernames revealed all Snapchat usernames were associated with IP address 24.254.247.8. According to Cox Communications, Inc. as mentioned in paragraph 8, IP address 24.254.247.8 was subscribed to ELLIOTT VELEZ, address: 1500 Westport Crescent, Newport News, Virginia 23602, home phone number: 623-203-3104.

11. On February 23, 2022, your affiant received information from Snap, Inc. pursuant to a search warrant executed on January 26, 2022, for Snapchat usernames: z_zane1214, zane6775, zanesmjth, and zannessnap12. The following information was identified:

a. On September 9, 2021, Snapchat username z_zane1214 engaged in a chat with JANE DOE 1. Snapchat username z_zane1214 stated the following to Snapchat username JANE DOE 1:

- i. Thursday, September 9, 2021 at 19:29:03 UTC:
 - 1. z_zane1214: *Spread that ass [JANE DOE 1]*

- ii. Thursday, September 9, 2021 at 19:30:52 UTC:
 - 1. JANE DOE 1 sends an image of an early pubescent female, spreading buttocks into camera. Image appears to be self-produced by JANE DOE 1.
- iii. Thursday, September 9, 2021 at 19:31:14 UTC:
 - 1. z_zane1214: *Thatâ€™s so good*
- iv. Thursday, September 9, 2021 at 19:31:18 UTC:
 - 1. z_zane1214: *I wanna lick it dirty*
- v. Thursday, September 9, 2021 at 19:31:48 UTC:
 - 1. z_zane1214: *Play with your asshoke and taste your fingers*
- vi. Thursday, September 9, 2021 at 19:33:27 UTC:
 - 1. z_zane1214: *Play with your dirty asshole and taste your fingers babe*
- vii. Thursday, September 9, 2021 at 19:33:29 UTC:
 - 1. z_zane1214: *I need that*
- viii. Thursday, September 9, 2021 at 19:35:22 UTC:
 - 1. z_zane1214: *Your asshole does it for me*
- ix. Thursday, September 9, 2021 at 19:36:51 UTC:
 - 1. JANE DOE 1 sends five second video of an early pubescent female, spreading buttocks into camera. Video appears to be self-produced by JANE DOE 1.
- x. Thursday, September 9, 2021 at 19:37:32 UTC:
 - 1. z_zane1214: *Okay with with and get your fingers dirty and taste it and Iâ€™ll cum*
- xi. Thursday, September 9, 2021 at 19:37:38 UTC:
 - 1. z_zane1214: *Show that to stevi too*
- xii. Thursday, September 9, 2021 at 19:37:40 UTC:
 - 1. z_zane1214: *She will love it*
- xiii. Thursday, September 9, 2021 at 19:38:05 UTC:
 - 1. JANE DOE 1 sends six second video of an early pubescent female, inserting her finger into her anus and licking said finger. Female is nude from waist down. Early pubescent

female appears to be same female as female in previous video spreading buttocks into the camera. Video appears to be self-produced by JANE DOE 1. (paragraph 11a,ix, 1)

xiv. Thursday, September 9, 2021 at 19:38:34 UTC:

1. z_zane1214: *I want to taste*

xv. Thursday, September 9, 2021 at 19:38:36 UTC:

1. z_zane1214: *Was it good babe*

b. On September 9, 2021 at 19:46:41 UTC, Snapchat username z_zane1214 sends the image produced by JANE DOE 1 (paragraph 11a, ii, 1) and video also produced by JANE DOE 1 (paragraph 11a, xiii, 1.) to another Snapchat username.

i. Thursday, September 9, 2021 at 19:47:07 UTC:

1. z_zane1214: *Sheâ€™s a dirty little girl. I told her to send to you as well in the GC but wasnâ€™t sure you would like*

ii. Thursday, September 9, 2021 at 19:47:10 UTC:

1. z_zane1214: *Told her you would*

c. On September 14, 2021, Snapchat username zanesmjth engaged in a chat with Snapchat username JANE DOE 2. Snapchat username zanesmjth stated the following to Snapchat username JANE DOE 2:

i. Tuesday, September 14, 2021 at 00:16:27 UTC:

1. zanesmjth: *I wanna see you booty shake*

ii. Tuesday, September 14, 2021 at 00:16:47 UTC:

1. zanesmjth: *Iâ€™ll show you my dick lol if you do*

iii. Tuesday, September 14, 2021 at 00:18:59 UTC:

1. zanesmjth: *Can I show you my penis ?*

iv. Tuesday, September 14, 2021 at 00:19:14 UTC:

1. JANE DOE 2: *Idk if you whant to*

v. Tuesday, September 14, 2021 at 00:20:32 UTC:

1. JANE DOE 2: *How old are you*

vi. Tuesday, September 14, 2021 at 00:20:39 UTC:

1. zanesmjth: *14 wbu*

- vii. Tuesday, September 14, 2021 at 00:21:02 UTC:
 - 1. JANE DOE 2: *I2...*
- viii. Tuesday, September 14, 2021 at 00:21:05 UTC:
 - 1. zanesmjth: *Ok*
- ix. Tuesday, September 14, 2021 at 00:31:47 UTC:
 - 1. zanesmjth: *I want your bootyyyy*
- x. Tuesday, September 14, 2021 at 00:38:24 UTC:
 - 1. zanesmjth: *I need more*
- xi. Tuesday, September 14, 2021 at 00:42:13 UTC:
 - 1. zanesmjth: *Pull them aside*
- xii. Tuesday, September 14, 2021 at 00:42:43 UTC:
 - 1. JANE DOE 2: *Wanna see pee pee*
- xiii. Tuesday, September 14, 2021 at 00:42:47 UTC:
 - 1. zanesmjth: *Yes*
- xiv. Tuesday, September 14, 2021 at 00:43:24 UTC:
 - 1. zanesmjth: *Can I keep these ?*
- xv. Tuesday, September 14, 2021 at 00:43:46 UTC:
 - 1. zanesmjth: *Got a little bro or sis?*
- xvi. Tuesday, September 14, 2021 at 00:43:54 UTC:
 - 1. JANE DOE 2: *Bro*
- xvii. Tuesday, September 14, 2021 at 00:44:14 UTC:
 - 1. zanesmjth: *Would you show him your pee pee for me*
- xviii. Tuesday, September 14, 2021 at 00:49:00 UTC:
 - 1. zanesmjth: *Do a video babe*
- xix. Tuesday, September 14, 2021 at 00:50:48 UTC:
 - 1. JANE DOE 2: *I d k how to*
- xx. Tuesday, September 14, 2021 at 00:51:03 UTC:
 - 1. zanesmjth: *Hold down the picture button*
- xxi. Tuesday, September 14, 2021 at 00:51:05 UTC:
 - 1. zanesmjth: *And it records*

- xxii. Tuesday, September 14, 2021 at 00:53:30 UTC:
 - 1. JANE DOE 2 sends a 10 second video of a pre-pubescent female with bottom clothing pulled down. Pre-pubescent female begins video by shaking bare buttocks into the camera. Pre-pubescent female then turns around and shows bare vagina in camera and spreads vagina open with her fingers. Pre-pubescent female pulls up bottom clothing and whispers "it's awkward from this angle" into the camera. Video appears to be self-produced by JANE DOE 2.
- xxiii. Tuesday, September 14, 2021 at 00:54:02 UTC:
 - 1. zanesmjth: *That was hot*
- xxiv. Tuesday, September 14, 2021 at 00:54:08 UTC:
 - 1. zanesmjth: *Do more asshole baby*
- xxv. Tuesday, September 14, 2021 at 00:55:29 UTC:
 - 1. JANE DOE 2: *Pls sent me your face*
- xxvi. Tuesday, September 14, 2021 at 00:55:50 UTC:
 - 1. zanesmjth: *Daddy canâ€™t baby*
- xxvii. Tuesday, September 14, 2021 at 00:56:06 UTC:
 - 1. JANE DOE 2: *Why not*
- xxviii. Tuesday, September 14, 2021 at 00:57:00 UTC:
 - 1. zanesmjth: *You will be mad cause Iâ€™m older baby*
- xxix. Tuesday, September 14, 2021 at 00:57:21 UTC:
 - 1. JANE DOE 2: *Sorry babe but I wouldn't*
- xxx. Tuesday, September 14, 2021 at 00:57:51 UTC:
 - 1. JANE DOE 2: *You probably older then*
- xxxi. Tuesday, September 14, 2021 at 00:57:53 UTC:
 - 1. zanesmjth: *Iâ€™m 23 baby can it be our secret ????*
- xxxii. Tuesday, September 14, 2021 at 01:04:17 UTC:
 - 1. zanesmjth: *Finger your asshole*
- xxxiii. Tuesday, September 14, 2021 at 01:04:27 UTC:
 - 1. JANE DOE 2: *Ok*

xxxiv. Tuesday, September 14, 2021 at 01:05:04 UTC:

1. JANE DOE 2: *I don't have enough storedge*

xxxv. Tuesday, September 14, 2021 at 01:05:12 UTC:

1. zanesmjth: *Delete the ones you saved*

xxxvi. Tuesday, September 14, 2021 at 01:05:16 UTC:

1. zanesmjth: *You can record in here too*

xxxvii. Tuesday, September 14, 2021 at 01:05:28 UTC:

1. zanesmjth: *Just got to take a pic and instead of saving just send*

- d. On September 16, 2021, Snapchat username zanesmjth sent a different Snapchat username a picture of a male without facial hair and with tattoos on his arm that appeared to be self-produced. Image had the numbers "9/11/2021 09:05" on it.
- e. On September 16, 2021, Snapchat username zanesmjth sent a different Snapchat username a picture of a beige, two-story home with a two-door garage. The numbers "1500" were displayed on a post on the right side of the photo by the front door. A black four door truck is also parked in the driveway of the home.
- f. On September 17, 2021, Snapchat username zanesmjth sent a different Snapchat username a picture of a computer screen with "USAF Standard Desktop" background with "Friday, September 17, 11:31" on the screen. Image appears to be taken from a computer assigned to the United States Air Force.

12. On February 25, 2022, your affiant requested Department of Motor Vehicle records for ELLIOTT D. VELEZ, DOB: 10/25/1984, SSN: 603-30-3197. Driver's license image for ELLIOTT D. VELEZ appeared to be same individual in the self-produced image sent from Snapchat username zanesmjth to a different Snapchat username on September 16, 2021. (paragraph 11d.)

13. On March 30, 2022, your affiant obtained a federal search warrant from the Honorable United Magistrate Judge Robert J. Krask for the residence located at 1500 Westport

Crescent, Newport News, Virginia, 23602. Upon execution on March 31, 2022, numerous items of electronic evidence were seized and Elliott VELEZ consented to an interview.

14. Elliott VELEZ was told he was not under arrest and was advised of his *Miranda Rights* and stated the following:

- a. VELEZ informed Agents he did have a Snapchat account, but stopped using Snapchat about three to four weeks ago. VELEZ moved to Newport News, Virginia in June of 2021. VELEZ's two daughters, ages 11 and 14, stayed with VELEZ in the summer of 2021 and left in mid-August of 2021. VELEZ informed Agents he used his cell phone for his social media accounts.
- b. Agents presented two photographs to VELEZ in which VELEZ immediately responded with "those are old pictures." The first photograph was of a beige, two-story home with a two-door garage with a black four door truck parked in the driveway, as mentioned in paragraph 11e. The second photograph was a photograph of a self-produced image of a male without facial hair, with tattoos on his arm, and with the numbers "9/11/2021 09:05" on it, as mentioned in paragraph 11d. The photograph presented to VELEZ also included a caption that stated "@zanesmjth" "Add me up." The caption depicts the same Snapchat username mentioned in paragraphs 7 and 11. VELEZ informed Agents that was an old picture and he did not have that shirt anymore. VELEZ informed Agents those pictures were taken about six to seven months ago.

CONCLUSION

15. Based upon the facts set forth above, I submit that probable cause exists to believe ELLIOTT VELEZ, has violated Title 18, United States Code, Section 2251(a) – Production of Child Pornography, fully described in paragraph 4 above.

FURTHER YOUR AFFIANT SAYETH NOT.



Desirae E. Maldonado
Special Agent
FBI Child Exploitation Task Force
Federal Bureau of Investigation

This affidavit has been reviewed for legal sufficiency by Assistant United States Attorney Devon Heath.

Reviewed:



Devon Heath
Assistant United States Attorney

Subscribed and sworn to before me this 31st day of March 2022, in the City of Norfolk, Virginia.



Robert J. Krask
UNITED STATES MAGISTRATE JUDGE